

IN THE CIRCUIT COURT OF THE STATE OF OREGON
COUNTY OF Tillamook

In the Matter of:

Case No. 18SK02127Tameza L Porter
Petitioner,☐ Guardian Ad Litem

and

John McKnight
Respondent.**PETITION FOR STALKING
PROTECTIVE ORDER**
ORS 30.866**NOTICE TO PETITIONER**

- You must provide complete and truthful information. If you do not, the court may dismiss the order and may also hold you in contempt of court.
- If you wish to have your residential address and telephone number withheld from the Respondent, use a contact address and telephone number so the court and sheriff can reach you.

- ☐ I (write your name), Tameza L Porter, request that the Court issue a Stalking Protective Order against (write Respondent's name) John McKnight, requiring that Respondent stop all contact and avoid all contact with Petitioner (me).
- I am 56 years old and a resident of Tillamook County, Oregon.
- Respondent is 63 years old and a resident of Tillamook County, Oregon.
- What is your relationship to Respondent? (check one)
 - ☐ Respondent is my spouse or former spouse.
 - ☐ Respondent is my registered domestic partner or former registered domestic partner.
 - ☐ Respondent and I have a child together.
 - ☐ Respondent and I cohabit (live together in sexually intimate relationship) or used to cohabit (live together in sexually intimate relationship).
 - ☐ I am Respondent's child.
 - ☐ I am a child of an intimate partner* of Respondent (*spouse/former spouse, parent of Respondent's child or cohabitant/former cohabitant).
 - ☐ Respondent and I are in dating relationship or used to be in a dating relationship.
 - ☐ Respondent is a family member. (How are you and respondent related? _____)
 - ☐ Respondent is a friend or former friend.
 - ☐ Respondent is a co-worker or used to be co-worker.
 - ☒ Respondent is a stranger.
 - ☐ other _____

To qualify for a stalking protective order:

- the Respondent must have intentionally, knowingly, or recklessly engaged in repeated and unwanted contact that alarmed (frightened) or coerced (forced) you or a member of your immediate family or household within the last two years,
- it is reasonable for you to feel alarmed or coerced and
- the contact made you reasonably fear for your physical safety or the safety of your household or family,

You must provide details describing the conduct by Respondent that is repeated and unwanted contact. If you do not state facts to back up this application, it may be denied.

Describe below in Section 5 any **unwanted contact** by Respondent within the **last two years**. List the most recent contact first, followed by the next most recent, etc. For each contact, write down the **location** (place), **date**, and **approximate time** of the contact. Explain what was alarming or coercive and who was alarmed or coerced.

At least two separate incidents of unwanted contact must have happened.

5A. Date/Time of last incident: 9-11-18 It was about 3pm

Location (include County and State): Evergreen Garden Apts Laundry Room

John McKnight Tillamook, Or

Describe what happened and to whom: I went in the Rec Room to the mail Box's. I wanted to see if any one was washing clothes. He turned around and start coming towards me. I grabbed my mail, And left asap.

I avoid him at all costs. Tillamook Or

5B. Date/Time of earlier unwanted contact: 9-11-18 John McKnight

Location (include County and State): Evergreen Garden Apts. Tillamook, Or.

Describe what happened and to whom: I have noticed & other's brought it to me. How John McKnight peers into my windows. Which is why I put up my dish towels. they are "Red" John & Cindy claim I am suspicious behavior that Im a Prostitute And the towels stated Im open for Business

5C. Date/Time of earlier unwanted contact: 7-2018 afternoon around 1pm to 8pm

Location (include County and State): Evergreen garden Tillamook OR

Describe what happened and to whom: I WAS showing my friend my new car and John McKnight, walks straight towards me. Stands right next to her, she was very scared. then Patsy Jay was outside he then walked to say something. Patsy lives next door. she likes to stir up conflict all the time

6. Explain why the unwanted contact was alarming or coercive: When I'm sitting outside my Apt. either he comes and stands as close as possible. Patsy listens to my conversations, relay to John McKnight, Cindy. Turning everything I say or do completely around on me

7. Explain why the unwanted contact has made you afraid for your personal safety or the safety of a family or household member: I now am so afraid of even opening up my windows or door. for fear of him coming as close as possible to watch me. I was getting undressed in my Bedroom, I saw him looking in through the fan. there I put around the fan that made it possible for him.

8. Explain why Respondent knew or should have known that his/her conduct was unwanted: I've asked him to leave me alone. I went to my Aunts place to talk to her. And John McKnight came up behind me. When I was walking back to my apt. I had to pass him. And he started making pig sounds at me. My Aunt Moved out because she to was afraid

☒ I have attached an additional page(s) detailing more unwanted and alarming/coercing contacts, and/or giving more information about the contacts described above.

Attached additional pages detailing more info

When I walk my dog at the Methodist Church. He would be hunting around the trees. Every place I walked there he is.

And I do take my dog off the leash, Because when I do it's on County Fire lane. He then (my dog) walks over to the Church. I train him to also be off the leash. Not to mention I had Rotator Cuff Surgery and it hurts that's why I am training him to be on + off the leash. I do not do this on the property except on 8-11-18. I had to buy him another one.

He has also peered into another ~~tenant~~ tenant who lives in 9-D Barbara. He peers in her windows as well.

I've never put in a request for maintenance Since Bill Smith left the maintenance job. I am always told that I have to pay out of pocket. Plus they have to notify when they are coming a 24 hr notice

I've never had him come to my door asking for other services.

I need for him to leave me alone.

I have called the owner (Richard) about his stalking, And to change my locks Because my keys were stolen, after I misplaced them on the Couch in the rec room

placed them while washing clothes. He then opened up my locker in the laundry room taking everything out along with 2 rolls of quarters. I would put up signs wanting them back. He kept taking them down. So he has my house key & mail key. And the key to my car, (But I got another car) I'm missing a package that the company said it was delivered. But it was not at my house.

He pees around every place I go, Or he would have 2 other terrixt follow me around I now have to live with everything closed up.

The only time I ever go out is to walk my dog. I only talk to 3 people that live there, And they want to leave because of John McKeight & Cindy.

I ~~avoid~~ avoid him at all times. I will walk away, when I see him through the trees. Or he will walk someone's dog. And come right towards me. There is plenty of other places he can go. Just not around me. I'm in fear of my life now. I do not feel safe anymore. The owners refuse to change my locks saying I have to pay \$500.

There is also A five lane that goes next to my apt. Once I get there, I unlease my dog. It is not Evergreens property nor is the Church.

The people that do know me, or have seen me. Say Im always smiling & appear to be happy and Content.

If I could file a Restraining order on Patsy Jay^{9-B}, MURIAL on 11-D and Cindy the site manager. for harssing me spreading rumors that I sell drugs. And said I asked them, if they knew where I could find a gun.

I am unable to move. I would be Homeless. I stay completely to my self.

I would also like to add. That I have been calling the Corp. Office explaining about how Cindy the Site Manager she treats us like 3rd Class Citizens.

10-B. Skip. his electric outlets spark, and he needs a ramp to get inside. They refuse to fix things he has also called.

Kristen, Michelle, refuse to listen to me about how I'm being treated. When I get upset, My Anxiety levels Sky Rocket. I have ADD/ADHD/Depression. I have this thing called telling the truth. the Site manager lies since she has been there. The things she is accusing me of are lies. I never had wind chimes. There was one when I moved in. Never made noise, and she claims she took pictures of me the day before hanging them up. I was in Portland that entire day. I have a Peacock that hangs on my outside against the wall. It is not a wind chime.



Grand Management Services
420 Park Avenue, Coos Bay, OR. 97420
541-269-5561 Phone/ 541-269-2481 Fax/711 TTY
www.grandmgmt.com

NOTICE OF INTENT TO EVICT

Date: September 11, 2018

This form was sent via:

<input type="checkbox"/>
<input checked="" type="checkbox"/>

Hand-delivered
1st Class Mail

To: Tamera Porter
3810 12th Street #09A
Tillamook, OR 97141

You are hereby notified that the Landlord intends to terminate your Tenant/Landlord Lease Agreement establishing your tenancy at: 3810 12th Street #09A, Tillamook, OR 97141

This notice is given due to non-compliance with the lease agreement or for other good cause as described below. This notice of adverse action has been delivered to you by 1st class mail or as specified above. We have given you a specific reason for the termination of your lease agreement.

The following provisions in the lease agreement have been violated and/or the documented good cause prompting this notice include:

- ☐ Your income is too high for our housing programs.
- ☐ You have failed to report changes in household composition or income.
- ☐ The largest unit size at our complex is too small to accommodate your household or you do not meet the occupancy guidelines as follows: _____
- ☐ Our housing program requires us to rent to individuals or families who have elderly or disabled household members. Your household does not meet these requirements.
- ☐ Your household members have failed to meet disclosure requirements for social security numbers.
- ☐ Tenant file documentation has revealed that you have a history of unjustified and chronic nonpayment of rent and financial obligations.
- ☒ Tenant file documentation has revealed that you have a history of violence and harassment of neighbors or management personnel.
- ☒ Tenant file documentation has revealed that you have a history of disturbing the quiet enjoyment of neighbors and/or the property.
- ☒ Tenant file documentation has revealed that you have a history of violations of the terms of the rental agreement such as the destruction of a unit or failure to maintain a unit in a sanitary condition.
- ☐ Your household does not have enough disposable income to pay all debts, rent, and normal household expenses as per our eligibility criteria guidelines.
- ☐ Verifications of the information provided in the file documentation indicate that you have provided false or inaccurate information.
- ☒ Tenant file documentation has revealed that you have a history of physical violence, criminal activity, or drug-related activity. We believe that you constitute a direct threat to the health and safety of our residents or management staff or we believe that your tenancy would adversely affect the physical condition and reputation of the housing complex.
- ☐ Your household does not qualify according to the pet rules for the project.
- ☐ You have not personally resided in the rental unit for a period exceeding 60 days or you have not maintained this rental unit as your primary residence.
- ☐ You have failed to pay rent or other financial obligations due the Landlord beyond any grace period available under State law.
- ☐ You have failed to reimburse the Landlord within 30 days for repairs.
- ☐ You have permitted unauthorized persons to live in your rental unit.
- ☐ You have failed to repay unauthorized rental assistance payments.
- ☐ You have failed to pay Security Deposits, Pet Deposits or damage charges as per Promissory Note.
- ☒ You have failed to carry out obligations under the State of Oregon Landlord and Tenant Act.
- ☒ You have breached the following terms of the lease agreement and/or its addendums and attachments to the lease agreement:

- ☐ Your Housekeeping has been deemed unacceptable by management and we believe it to be a health and/or safety hazard.
- ☒ Other good cause as identified below:

The Specific acts or problems, which violate the lease agreement and/or property ground rules or create good cause for eviction include: See items checked above for detailed description.

On August 1st, 2018 You came into the office of Evergreen Gardens and spoke to the manager, Cindy Fargher accusing the maintenance man (John) of stalking you and you told the manager that the last person that "stalked you" got shot. The next day, August 2nd, you put a bumper sticker on your car that says "I have 2 auto's" that have pictures of a gun. On August 10th, Management received a written complaint from a resident of Evergreen Garden's Apartments letting us know that you had asked her if she knew anyone with a gun to purchase. You then told her that back in California, you had shot and killed a stalker and was inquiring about buying a gun to shoot John the maintenance man. On August 13th, 2018 after hearing about your threats against him, John became concerned for his safety and notified the Tillamook County Sheriff's Office to make a report. Management has obtained a copy of such report. It was reported that John had caught you (Tamara Porter) peering into his bedroom window on several occasions. There was also another incident when John went to your apartment to do requested repairs and that you were not appropriately dressed, and made mention of wanting something "other than repairs", at which point he refused your request. This violates the property ground rules under section 3, C (1) Outrageous conduct: (1) Tenant threatens to immediately inflict personal injury, or actually inflicts substantial personal injury upon the landlord or the landlord's employees or any other tenant or neighbor living in the immediate vicinity.

On August 8th, Management had an issue with a neighboring tenant and her wind chimes which we asked her to take down because it was bothering another resident. You (Tamara Porter) then decided to get involved and put up wind chimes in front of your unit. Management called you to discuss and asked you to take down the windchimes. You then left a threatening, rude, accusatory voice mail on the Evergreen Garden's voice mail and followed up with 2 very rude and threatening calls to the main office which we have recorded. Management considers these constant verbal attacks by you, harassment of management personnel. This violates the property ground rules under Section 3 H Abuse of Management Personnel. Verbal abuse including yelling or searing, mental abuse, or physical abuse towards the resident manager, management agency or personnel, maintenance personnel, other tenants, neighbors, guest or other persons is expressly prohibited and will lead to the termination of tenancy immediately upon the first occurrence. You signed these rules on 8-13-14.

On August 24th, you left a threatening, rude message on the Evergreen Garden's office voice mail in regards to the landscapers taking bricks and things out of what you call "your area". Your voice mail was rude, threatening, accusatory and showed a lack of respect for management. This violates the property ground rules under Section 3 H Abuse of Management Personnel. Verbal abuse including yelling or searing, mental abuse, or physical abuse towards the resident manager, management agency or personnel, maintenance personnel, other tenants, neighbors, guest or other persons is expressly prohibited and will lead to the termination of tenancy immediately upon the first occurrence. You signed these rules on 8-13-14.

On August 28th, it was witnessed that you were walking your dog off of a leash around the backside of building 9A. This is against the assistance animal agreement you signed on August 13, 2014 that states that the animal shall be on a leash when outside of your unit – (Condition #1)

On September 5th, you were witnessed by the site manager, Cindy Fargher driving very fast through the parking lot into your parking space, much faster than the posted 10 mph speed limit.

On September 9th, you were seen walking your dog off of a leash on the property. This is against the assistance animal agreement you signed on August 13, 2014 that states that the animal shall be on a leash when outside of your unit – (Condition #1)

On September 9th, you left a threatening, rude, accusatory, harassing voice mail on the Evergreen Garden's Office Phone. This voice mail threatens Cindy's job, threatens legal action and also possible physical retaliation. Management considers this abuse of management personnel. This violates the property ground rules under Section 3 H Abuse of Management Personnel. Verbal abuse including yelling or searing, mental

Verified Correct Copy of Original 9/12/2018.

I never had these

I was upset because she said unless she sees it, she won't do anything

Verified Correct Copy of Original 9/12/2018.

abuse, or physical abuse towards the resident manager, management agency or personnel, maintenance personnel, other tenants, neighbors, guest or other persons is expressly prohibited and will lead to the termination of tenancy immediately upon the first occurrence. You signed these rules on 8-13-14.

On September 10th, I received another written complaint from another resident, stating that you walk in her apartment without being invited in. This makes the tenant feel uncomfortable, as she does not want you there. You also told this resident that you have been listening in John's window and doing everything you can to "get rid" of the manager. This tenant feels harassed by this behavior. This violates the ground rules for the property under Section 3, (B) Nuisance – tenant shall not do anything which interferes with the right of other tenants to have a safe, healthy and comfortable place to live, or which disturbs the quiet enjoyment of their apartments. It also violates the property ground rules under Section 3 H Abuse of Management Personnel. Verbal abuse including yelling or searing, mental abuse, or physical abuse towards the resident manager, management agency or personnel, maintenance personnel, other tenants, neighbors, guest or other persons is expressly prohibited and will lead to the termination of tenancy immediately upon the first occurrence. You signed these rules on 8-13-14.

On September 10th, Management received a written complaint from the site manager, Cindy Fargher, indicating that on Sunday 9-9-18 you were seen walking your dog off the leash. When she nicely asked you why your dog was off the leash, you were argumentative and belligerent to her. This is against the assistance animal agreement you signed on August 13, 2014 that states that the animal shall be on a leash when outside of your unit – (Condition #1).

On September 11, 2018 Management received a written complaint from the site manager, Cindy Fargher that outline suspicious behavior from your unit. It has been reported to her that you have activities in your apartment of possible prostitution and that you hang a "red cloth" on the outside of your window indicating that you are "open for business". I have been provided a photo of this "red cloth" that is very suspicious. This violates your lease under section 24, B 9(a) Prostitution or promotion of prostitution as described in ORS 167.007 and 167.012.

You can correct these violations by: Not harassing the maintenance man, John. Stop listening and peeping into his windows. Do not have conversations with John outside of maintenance requests and we prefer those requests be in writing from now on and be turned into the Evergreen Gardens Office only. Refrain from conversations regarding guns and threatening to shoot residents or employees. Refrain from getting involved in issues that have nothing to do with you such as the windchimes and refrain from leaving abusive, argumentative voice mails for Grand Management Staff. Make sure that your dog is always on a leash when your dog is outside of your apartment. Make sure you observe the 10mph posted speed limit. Do not walk in ANYONE's apartment without being invited in. Do not threaten Grand Management Staff to the residents of Evergreen Garden's Apartments. Refrain from any suspicious activities that may involve possible prostitution. Be courteous and kind to employees of Grand Management and the other residents of the Evergreen Gardens Apartments.

The Landlord hereby notifies the Tenant that the Tenant will be expected to correct the problems or acts detailed above, which have violated the above-stated provisions of the lease or created good cause for termination of the lease. **Landlord hereby notifies the Tenant that the Landlord intends to terminate the lease agreement within 30 days after the date this notice was initially mailed by first class mail to Tenant unless the acts or problems which violated provisions of the lease or created good cause for eviction are remedied.** The Tenant will be given fourteen (14) days from the date notice was mailed by first class mail to Tenant to correct the problems or acts which have prompted this notice. **The specific problems or acts must not recur during this 14-day period and the Tenant must show satisfactory proof that these problems have been corrected by the following date:**

9-30-2018 (14 days from date notice mailed by first class mail to Tenant, not counting day of service).

Following this 14-day period, Landlord will notify Tenant whether or not Tenant has satisfactorily corrected the problems or acts prompting this notice. If Tenant has not remedied the problems cited above, based on the Landlord's judgment, then the Tenant must move from the above-described premises by:

10-15-2018 (30 days from date notice mailed by first class mail to Tenant, not counting day of service).

Verified Correct Copy of Original 9/12/2018.

If the Tenant fails to move out of the above-described premises, the Landlord may seek to force the Tenant to move out by filing an eviction suit in State Court. If successful, the Judge may order the Tenant to pay all court costs and expenses, including reasonable attorney fees. The Tenant will be given a chance to represent a defense during this court action. If substantially the same act or omission which constituted a prior noncompliance of which notice was given recurs within six months, the Landlord may terminate the rental agreement upon at least 10 days written notice specifying the breach and the date of termination of the rental agreement.

Landlord agrees to answer, as fully as possible, any questions Tenant has in regard to this notice. Acting on behalf of the Landlord, the following signature sets forth the legality of this notice on the date this notice was mailed to Tenant by first class mail.

Signature [Signature] Date 9-11-2018 Phone 541-269-5561

Printed Name Kristin Smith Title/Organization Property Manager



9A. Were any of the spoken or written contacts a **threat** that made you afraid that serious personal violence or physical harm would happen to you very soon?

☐ No. You do not need to fill out questions 9A – 9D and can go to Question 10.

☒ Yes. The spoken or written contact(s) I described in ☐ 5A ☐ 5B ☐ 5C were such a threat.

If you answered yes, you must also answer the following four questions:

9B. Why did you believe that the threat was directed to you: I WAS loading my car up, to go to Redding CA. I Am with the Red Cross. I turned around. He was about 2' from me. I tried to ignore him. When I asked Why, He acted like he was on the phone. He started yelling at me, that its his sidewalk to & to leave him alone. That's when IT hit. That he was stalking me

9C. Why did you believe that the Respondent intended to carry out that threat: Everytime I want to walk my dog, he always followed me. I told Cindy to talk to him. She said "unless I see it, I won't do nothing." I got upset and told her She has no P.R. Skills. And I tried explaining about the past Stalker in CA 2001-2002.

9D. Why did you believe that the Respondent had the ability to carry out that threat: Apparetly he had become the maintenance man. He has a key to my apt. I do not feel safe. At night I have to put a chair in front of my door at night. And when I leave, I put something on my door if its not there he has been inside

9E. Explain why that threat made you afraid of imminent serious personal violence or physical harm: The way he follows me, I was at my BANK TLC. And he would show up I go any place, All of a sudden he appears. I Am getting afraid that I've put sheets on my windows so he can't see. I have to keep my windows closed & locked.

10. I want the court to order Respondent to complete a mental health evaluation and any recommended treatment as part of the Permanent Stalking Protective Order. ☒ Yes ☐ No

11. I will need an interpreter in court. ☐ Yes ☒ No

12. I believe the Respondent will need an interpreter in court. ☐ Yes ☒ No

13. If I hire an attorney to represent me in this case, I am asking that the court award me attorney fees pursuant to ORS 30.866(4) (c). ☒ Yes ☐ No

Notice to Petitioner:

This petition must be completely filled out, signed, and acknowledged by a notary public or court clerk before a judge can hear it. If the information in the petition does not meet the statutory requirements for a Stalking Protective Order, the Court will deny the petition. If the order is granted, be sure to appear at all scheduled court appearances or the order may be terminated. To help protect you or a member of your immediate family or household, you should take steps to enforce the order by contacting the police when and if the Respondent violates the order. Even then, this order may not protect you or a member of your immediate family or household against the Respondent's actions. If you feel you or a member of your immediate family or household are in immediate danger, you should contact the police by dialing 911.

DATED this 12 day of September, 2018.

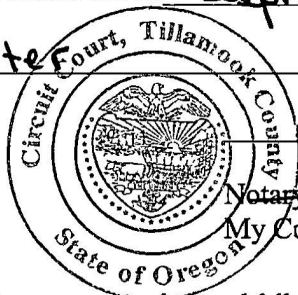
Tamera Porter
Signature of Petitioner

Tamera L. Porter
Print Name

3810 12th St 9A Tillamook OR 97141 503 457-7335
Address or Contact Address City, State, Zip Telephone or Contact Telephone

State of Oregon
County of Tillamook

This instrument was SIGNED and SWORN to before me on September 12, 2018, (date)
by Tamera Lynn Porter (name of person(s)).



Dany Cherry
Notary Public for
My Commission Expires: _____
(Court Clerk)

Certificate of Document Preparation. (You are required to truthfully complete this certificate. Check all boxes and complete all blanks that apply):

- ☐ I chose this document for myself and I completed it without paying for help.
☐ I paid or will pay money to _____ for helping me prepare this form.

Tamera Porter
Signature of Petitioner Print Name
3810 12th St 9A Tillamook, OR 97141 503-457-7335
Address or Contact Address City, State, Zip Telephone or Contact Telephone

I certify that this is a true copy:

Petitioner's Signature

Information about Respondent

(What you write in the blanks below will make it easier to find and serve the Respondent with the order and to take care of any safety concerns the officers serving the order may face.)

Address: 3810 12st 11-A

City/State/Zip: Tillamook, OR. 97141

Birthdate: (See CIF)

Employer and Employer Address: (See CIF) Same as above

Place most likely found: in his Apt. or in Cindy's

During what hours: All day pretty much

Height/Weight: 6' 160 Hair Color / Eye Color: grey-Brown unsure of eyes

Physical Characteristics: _____

Description of Vehicle: Toyota ^{Blue} pickup with shell.

Access to Weapons? If so, what type? Unsure

Arrested or convicted of violent crime? Explain Unsure

Danger to Others? To Respondent himself/herself? Explain I believe that he is a danger to most of the people living there.

CLERK OF DISTRICT COURT
STATE OF OREGON
2019 SEP 13 PM 2:06

IN THE CIRCUIT COURT OF THE STATE OF OREGON
COUNTY OF Tillamook

In the Matter of :

Case No. 18SK02127

TAMEREL L PORTER

Petitioner,

☐ Guardian Ad Litem

and

John McKnight

Respondent.

☒ TEMPORARY STALKING
PROTECTIVE ORDER

☐ FINAL STALKING PROTECTIVE
ORDER AND JUDGMENT

☐ ORDER OF CONTINUANCE

☐ JUDGMENT OF DISMISSAL

This matter came before this Court on 9 / 13 / 18 (date) for hearing on issuance of a:

☒ Temporary Stalking Protective Order

☐ Final Stalking Protective Order and Judgment.

PETITIONER: ☒ Appeared in person ☐ Did not appear ☐ With attorney _____

RESPONDENT: ☐ Appeared in person ☐ Did not appear ☐ With attorney _____

The court considered the allegations made in the Petition and other evidence offered and **FINDS:**

☒ (For Temporary Order) probable cause that:

☐ (For Final Order and Judgment) by a preponderance of the evidence that:

1. ☒ Respondent has engaged intentionally, knowingly, or recklessly in repeated and unwanted contact with the Petitioner or a member of the Petitioner's immediate family or household, and it was reasonable for Petitioner to be alarmed or coerced by this contact.
2. ☒ Respondent knew or should have known that the repeated contact was unwanted.
3. ☒ It is objectively reasonable for a person in Petitioner's situation to have been alarmed or coerced by Respondent's contact.
4. ☒ Respondent's repeated and unwanted contact caused the Petitioner reasonable apprehension regarding the Petitioner's own personal safety or the safety of a member of his/her immediate family or household.
5. ☒ Respondent represents a credible threat to the physical safety of Petitioner or Petitioner's or Respondent's child/ren.
6. ☒ The unwanted contact occurred within two years of the filing of this action.

7. ☐ If applicable: Any unwanted contact that was purely communicative in nature was perceived by Petitioner as a credible threat of imminent serious personal violence or physical harm to Petitioner or to a member of his/her family, and it was reasonable to believe that such threat was likely to be followed by unlawful acts.

IT IS HEREBY ORDERED that:

- ☒ **Temporary Stalking Protective Order**
☐ **Final Stalking Protective Order and Judgment**

8. ☒ Respondent shall **stop stalking** Petitioner or member of Petitioner's immediate family or household members and shall **stop all contact and avoid all contact** with Petitioner or members of Petitioner's immediate family or household. Contact includes but is not limited to:

- A. Coming into the visual or physical presence of the other person;
- B. Following the other person;
- C. Waiting outside the home, property, place of work or school of the other person or of a member of that person's immediate family or household and being at the following places: _____

- D. Sending or making written or electronic communications in any form to the other person;
- E. Speaking with the other person by any means;
- F. Communicating with the other person, including through a third person;
- G. Committing a crime against the other person;
- H. Communicating with a third person who has some relationship to the other person with the intent of affecting the third person's relationship with the other person;
- I. Communicating with business entities with the intent of affecting some right or interest of the other person;
- J. Damaging the other person's home, property, place of work, or school; or
- K. Delivering directly or through a third person any object to the home, property, place of work or school of the other person.
- L. Other: _____

IT IS FURTHER ORDERED THAT:

An ex parte hearing on **TEMPORARY** relief having been held:

9. ☒ **Respondent must appear** at a hearing on this Temporary Stalking Protective Order on 10 / 1 / 18 (date) and 7:00 (time) in Room 108 of the Tillamook County Courthouse to show cause why the Temporary Stalking Protective Order should not be continued for an indefinite period. The Temporary Stalking Protective Order issued on 9 / 13 / 18 (date) shall be enforceable against the Respondent until terminated by the court or until service upon the Respondent of a Final Stalking Order. *See attached "Notice to Respondent and Order to Personally Appear For Hearing."*

10. ☐ **NO** Temporary Stalking Protective Order shall issue, as the Court finds Petitioner has not proven a basis for such order.

A hearing on **PERMANENT** relief having been set for today after notice to the Respondent:

11. CONTINUANCE

☐ The hearing shall be CONTINUED to ____ / ____ / ____ (date) and ____ (time) in Room ____ of the ____ County Courthouse. The Stalking Protective Order issued on ____ / ____ / ____ (date) shall remain in effect pending this hearing.

12. WARRANT

☐ A Warrant for Respondent's arrest shall issue because Respondent did not appear. Security amount is set at ☐ \$5,000 / ☐ \$_____.

13. DISMISSAL

☐ The Temporary Stalking Protective Order issued on ____ / ____ / ____ (date) shall be terminated and the Petition dismissed, as the Court finds that Petitioner has not proven the basis for this order or
☐ Petitioner did not appear.

14. VOLUNTARY DISMISSAL

☐ The Temporary Stalking Protective Order issued on ____ (date) shall be terminated and the Petition dismissed, as the Court finds that Petitioner has made such a request voluntarily.

15. FINAL ORDER AND JUDGMENT

☐ **The court has ordered the continuation of the terms of the restraint detailed above in Paragraph 8. This Order is a Final Judgment and is of unlimited duration unless modified by law or by further order of the court.**

16. ATTORNEY FEES

☐ Pursuant to ORS 30.866(4)(c), Petitioner is awarded attorneys fees in the amount of \$_____.
☐ Other order regarding award of attorneys fees to Petitioner: _____

17. MENTAL HEALTH EVALUATION

☐ Respondent is ordered to undergo a mental health evaluation and, if indicated by the evaluation, treatment.

☐ Respondent is without funds to obtain the evaluation or treatment or both. ☐ Respondent is referred to (mental health agency): _____

18. SERVICE:

☐ Petitioner ☐ Respondent was served in Court with a copy of this Order.

19. DATE OF BIRTH:

☐ Respondent's date of birth is: (See CIF)

CERTIFICATES OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT

20. FIREARMS NOTIFICATION under 42 USC §3796gg-(4)(e): As a result of this Order, it may be unlawful for Respondent to possess, receive, ship, transport or purchase a **firearm or ammunition** pursuant to **federal law** under 18 USC §922(g)(8) and **state law** under ORS 166.250 to 166.270. This Order also **may** negatively affect Respondent's ability to serve in the Armed Forces of the United States or to be employed in law enforcement. [OJIN/ODYSSEY Event Code: **NOGR**]

NOTICE TO RESPONDENT: If you have questions about whether federal or state laws make it illegal for you to possess or purchase a firearm, and/or about whether this Order will affect your ability to serve in the military or be employed in law enforcement, you should consult an attorney.

21. ☐ FIREARMS PROHIBITION: This Order (or the original Order that is continued) prohibits Respondent from possessing FIREARMS or AMMUNITION and it is unlawful for Respondent to do so under **state law**. [OJIN Event Code: **FQOR**]

22. ☐ FEDERAL & STATE FIREARMS FINDINGS (18 USC 922(g)(8) ("BRADY") AND ORS 166.250 to 166.270: This Order may subject Respondent to federal and state prosecution for possession, receipt, shipping, transportation, or purchase of firearms or ammunition while it is in effect. This prohibition would apply whether or not the restraining order contains specific terms prohibiting the possession or purchase of firearms or ammunition. [OJIN/ODYSSEY Event Code: **ORBY**; LEDS Brady Code: **Y**]

The Court finds:

A. Relationship: The person protected by this Order is (check at least one):

- ☐ A spouse or former spouse of Respondent.
- ☐ The parent of Respondent's child.
- ☐ A person who does or did cohabit (live in a sexually intimate relationship) with Respondent.
- ☐ Respondent's child.
- ☐ A child of an intimate partner* of Respondent (*intimate partner is spouse/former spouse, cohabitant/former cohabitant, or parent of Respondent's child).

☐ **B. Notice and Opportunity to Participate:**

The Order was issued after a hearing of which Respondent received actual notice and at which Respondent had the opportunity to participate.

Verified Correct Copy of Original 9/13/2018

☐ **C. Terms of Order:**

The Order restrains Respondent from harassing, stalking or threatening Petitioner or Petitioner's or Respondent's child/ren or engaging in other conduct that would place Petitioner in reasonable fear of bodily injury to Petitioner or Petitioner's or Respondent's child/ren; **AND**

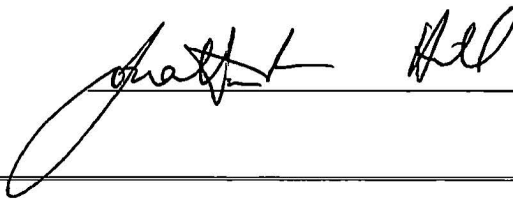
Respondent represents a credible threat to the physical safety of Petitioner or Petitioner's or Respondent's child/ren; **OR**

This Order by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against Petitioner or Petitioner's or Respondent's child/ren that would be reasonably expected to cause bodily injury.

FULL FAITH AND CREDIT PROVISIONS: This Order meets all full faith and credit requirements of the Violence Against Women Act, 18 USC §2265. This Court has jurisdiction over the parties and the subject matter. Respondent was or is being afforded notice and timely opportunity to be heard as provided by Oregon law. This Order is valid and entitled to enforcement in this and all other jurisdictions.

Judge Signature:

9-13-18



Certificate of Document Preparation and Readiness for Judicial Signature. You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

☒ I selected this document for myself and I completed it without paid assistance.

☐ I paid or will pay money to _____ for assistance in preparing this form.

This proposed order is ready for judicial signature under UTCR 5.100 because this order is submitted ex parte as allowed by statute or rule, or is otherwise not required pursuant to UTCR 5.100(3), or by statute, rule, or otherwise.

Dated: 9-13-18 Submitted by (signature): Tamera Porter

TAMERA L. PORTER

Print Name, ☒ Petitioner ☐ Attorney for Petitioner

☐ OSB No. (if applicable)

3810 12th St 9-A Tillamook Or, 97141

503-457-7335

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone Number

Use a Safe Contact address

Use a Safe Contact number